

ORDINANCE NO. 14916

FILE OF CITY COUNCIL

BILL NO. 54 - 2011

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JULY 14, 2011

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AN ORDINANCE

Providing for the vacation of a widened portion of N. 4<sup>TH</sup> Street, between Chew Street and Gordon Street in the Ninth Ward of the City of Allentown:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION 1. That the right-of-way located within the widened portion of N. 4<sup>TH</sup> Street, between Chew Street and Gordon Street, in the Ninth Ward of the City of Allentown, be and the same is hereby vacated in accordance with the following description:

**ALL THAT CERTAIN** public right-of-way, intended to be vacated, located along the easterly side of N. 4<sup>TH</sup> Street in the Ninth Ward of the City of Allentown, County of Lehigh, Commonwealth of Pennsylvania, bounded and described as follows, to wit-

**BEGINNING** at a point located at the intersection of the easterly right-of-way line of N. 4<sup>TH</sup> Street (sixty feet wide) and the northerly right-of-way line of Chew Street (fifty seven feet wide); thence, along the easterly right-of-way line of N. 4<sup>TH</sup> Street North 14°18'00" West, 69.28 feet to a point the True Place of Beginning;

Thence through the public roadway the following three (3) courses and distances:

1. South 75°42'00" West, 12.00 feet to a point, thence;
2. North 14°18'00" West, 194.33 feet to a point, thence;
3. North 75°42'00" East, 12.00 feet to a point, said point being located on the easterly right-of-way line of N. 4<sup>TH</sup> Street;

Thence along the easterly right-of-way line of N. 4<sup>TH</sup> Street South 14°18'00" East 194.33 feet to a point, the True Place of Beginning.

**CONTAINING** 0.053 Acres (2,332 Square Feet)

SECTION 2. That this ordinance shall not become effective until such time as a deed of easement has been filed in the Lehigh County Office of the Recorder of Deeds which services to provide required right-of-way for pedestrian access along the proposed sidewalk.

SECTION 3. That if aforementioned easements has not been executed within one year from the date of this Ordinance, then this Ordinance shall become null and void.

SECTION 4. Subject to the provisions set forth in Ordinance No. 12245, passed April 6, 1977.

SECTION 5. That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

	Yea	Nay
W. Michael Donovan	X	
Jeanette Eichenwald	X	
Julio A. Guridy	X	
Ray O'Connell	X	
Michael Schlossberg		
Peter G. Schwyer, Vice President	X	
Michael D'Amore, President	X	
TOTAL	6	0

I hereby certify that the foregoing Ordinance was passed by City Council on August 3<sup>rd</sup> and signed by the Mayor on August 10<sup>th</sup>, 2011.

Michael R. Harte  
CITY CLERK



**Allentown**  
City without limits.

**Michael C. Hefe, AICP**  
Director of Planning  
Bureau of Planning & Zoning  
435 Hamilton Street  
Allentown, PA 18101-1699  
Office 610-437-7611  
Fax 610-437-8781  
hefelem@allentowncity.org

June 17, 2011

The Honorable Michael D'Amore, Ph.D.  
President, City Council  
435 Hamilton Street  
Allentown, PA 18101

Re: Vacation of section of sidewalk area along East side of  
300 block of North 4<sup>th</sup> Street

Dear Dr. D'Amore:

Please be advised that at the monthly meeting of the Allentown City Planning Commission held on Tuesday, June 14, 2011, the above referenced street vacation requested by the City of Allentown was recommended to City Council for APPROVAL.

If you have any questions concerning this action, please contact me.

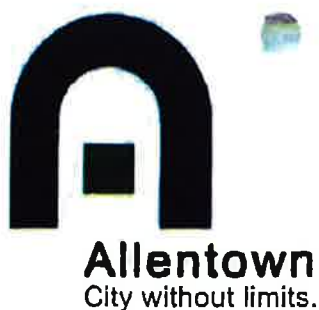
Yours truly,

  
Michael C. Hefe, AICP  
Director of Planning

MCH:jf  
Enclosure

xc: Mayor Ed Pawlowski  
Kenneth Bennington, Managing Director  
Michael Hanlon, City Clerk  
Sara Hailstone, Community & Economic Development Director  
Richard Young, P.E., Public Works Director/City Engineer  
Ronald Penrose, Traffic Control Superintendent  
Yvonne McCarthy, Principal, Central Catholic High School

n:\p\p\p\common\acpc\streetvacations\2011\damorestvaceastside300blockN.4th



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**Director of Planning**  
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hefele@allentowncity.org

**STAFF REPORT TO THE  
ALLENTOWN CITY PLANNING COMMISSION**

June 10, 2011

**SUBJECT:** 11-7(V) Proposed vacation of section of sidewalk area along East side of the 300 block of North 4<sup>th</sup> Street.

**FINDINGS:**

The proposed street vacation has been requested by the City of Allentown.

As part of the "Heart of the City" project a bus layby/pull off area is being constructed on the east side of North 4<sup>th</sup> Street in front of Allentown Central Catholic High School. The sidewalk area needs to be eliminated to accommodate the busses. A pedestrian easement is being established as part of this vacation.

**RECOMMENDATION:**

The proposed bus layby/pull off area that will be accommodated by this vacation will improve traffic circulation in the area. Pedestrian access will continue to be provided through the provision of the pedestrian easement, and therefore this office favorably recommends this vacation.

Submitted by:

  
Michael C. Hefe, AICP  
Director of Planning

June 10th, 2011

REPORT TO THE CITY CLERK  
AND THE  
ALLENTOWN CITY PLANNING COMMISSION  
  
**REQUEST FOR STREET VACATION**

RE: Request for the Vacation of a portion of the Right-of-Way of  
North 4<sup>th</sup> Street.

Requested by:  
The City of Allentown

Prepared by Brian L. Borzak, PLS, Chief Surveyor/Designer  
City of Allentown Department of Public Works

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CONTENTS:

Report and Recommendations  
Mailing List and Responses -- Utility Companies and City  
Location Map -- Portions of City Block Plan No. C-45  
Photos  
Plans Relocation of sidewalk

HISTORY OF THE PORTION OF NORTH 4TH PROPOSED TO BE VACATED:

The portion of North 4th Street proposed to be vacated is in the 9<sup>th</sup> Ward. The established width of the right-of-way for North 4th Street is 60 feet with a 30.6' cartway. The Right-of-Way width was established by City Ordinance Vol. 1 Page 117, dated May 13<sup>th</sup>, 1873. Should the subject portion of the street vacation be granted, it appears that the affected rights-of-way would revert to the adjoining property owner. It is the responsibility of the affected adjoining property to assimilate vacated property into fee simple ownership by deed.

LOCATION AND CONDITION:

The portion of North 4th Street proposed to be vacated is improved.

POLLS -- CITY OF ALLENTOWN:

Mr. Richard H. Rasch, the City Utility Engineer, has no objection to the street vacation, y.

Ronald D. Penrose of the City's Traffic Engineering Bureau, has not replied.

Mr. Robert Scheirer, the Fire Chief, has no objection.

Mr. Michael Hilbert of the City's Communications Bureau, has no objection.

Report to the City Clerk and Allentown City Planning Commission  
June 10th, 2011  
SUBJECT: North 4th Street Vacation Request

Mr. Roger MacLean, the Chief of Police, has not replied.

POLLS -- UTILITY COMPANIES:

The Pennsylvania Power and Light Company (PPL), has not replied.

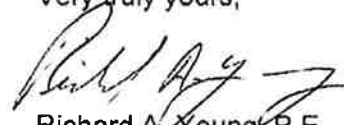
Verizon Communications (Verizon), has no objection.

The UGI Utilities, Inc. (U.G.I.) has not replied.

RECOMMENDATIONS:

The Bureau of Engineering favorably recommends the subject street vacation provided the Roman Catholic Diocese of Allentown(Allentown Central Catholic High School) secure and record easements for any existing utilities, record and supply the City of Allentown Engineering department with a copy of a Deed of Consolidation and a 10' Wide Pedestrian Easement.

Very truly yours,



Richard A. Young, P.E.  
Public Works Director

Attachments

xc: Michael C. Hefe, Director of Planning  
Jerry Snyder, City Solicitor  
Michael P. Hanlon, City Clerk  
Richard A. Young, P.E., Public Works Director

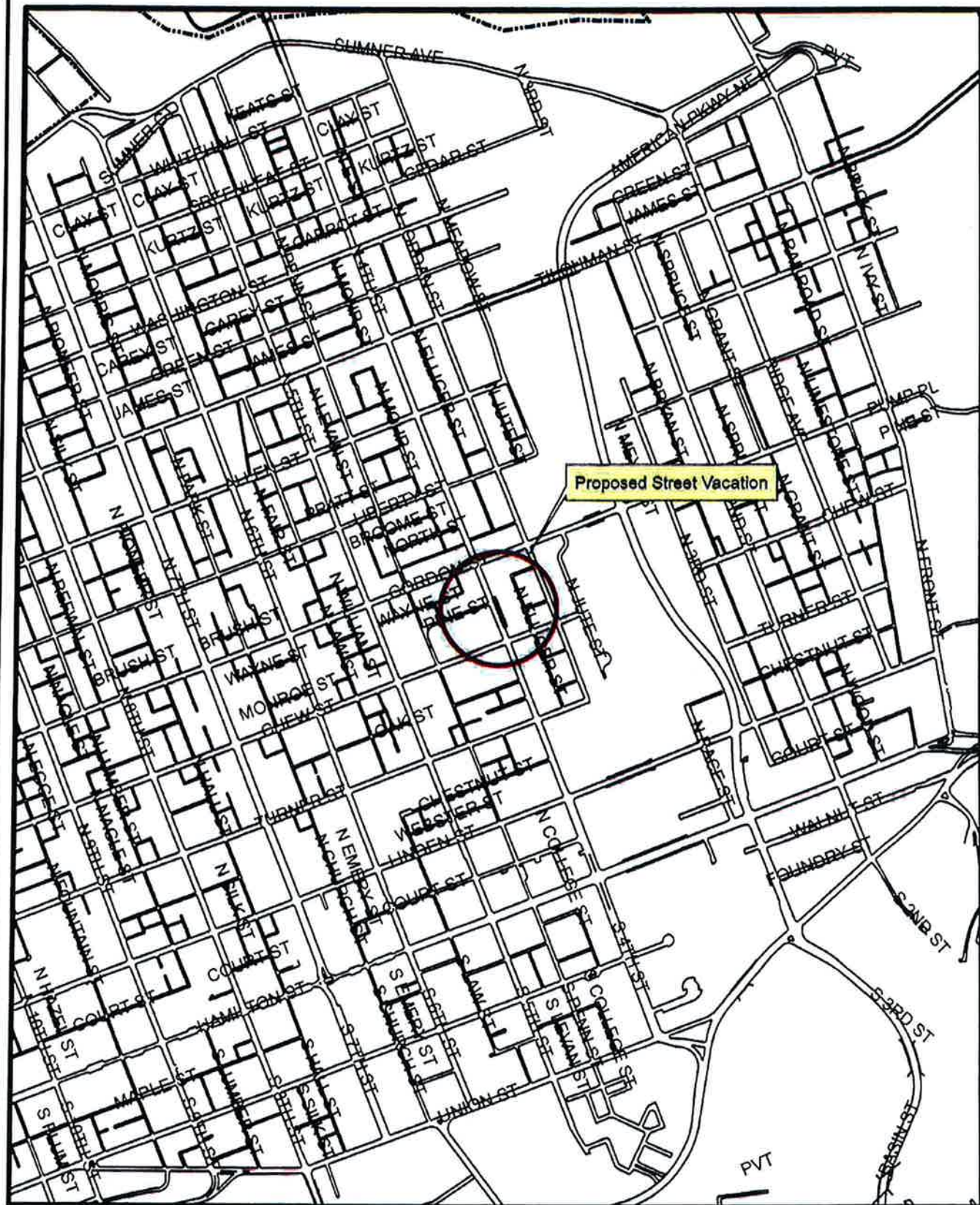
**UTILITY VACATION CHECKLIST FOR:****Vacation of a portion of the Right-of-way of N. 4th St.**

Letters mailed: May 9th, 2011

Utility Company	Reply Date	No Objection	Object
Mr. Buce E. Leonard , PE Area Engineering Supervisor PPL Electric Utilities Corp. 827 Hausman Road Allentown, PA 18104	DID	NOT	REPLY
Mr. Mike Ciamacco Verizon Communications 1800 East Race St. Allentown, Pa 18109	05/17/11	X	
Mr. Taylor Bet UGI Utilities, Inc. 2121 Cityline Road P.O. Box 25148 Bethlehem, PA 18002-5148	DID	NOT	REPLY
Mr. Richard Rasch Utility Engineer	5/12/2011	X	
Mr. Ron Penrose Traffic Technician	DID	NOT	REPLY
Mr. Robert Scheirer Fire Chief	05/13/11	X	
Michael Hilbert Communications	05/13/11	X	
Mr. Roger MacLean Chief of Police	DID	NOT	REPLY



## CITY OF ALLENTOWN



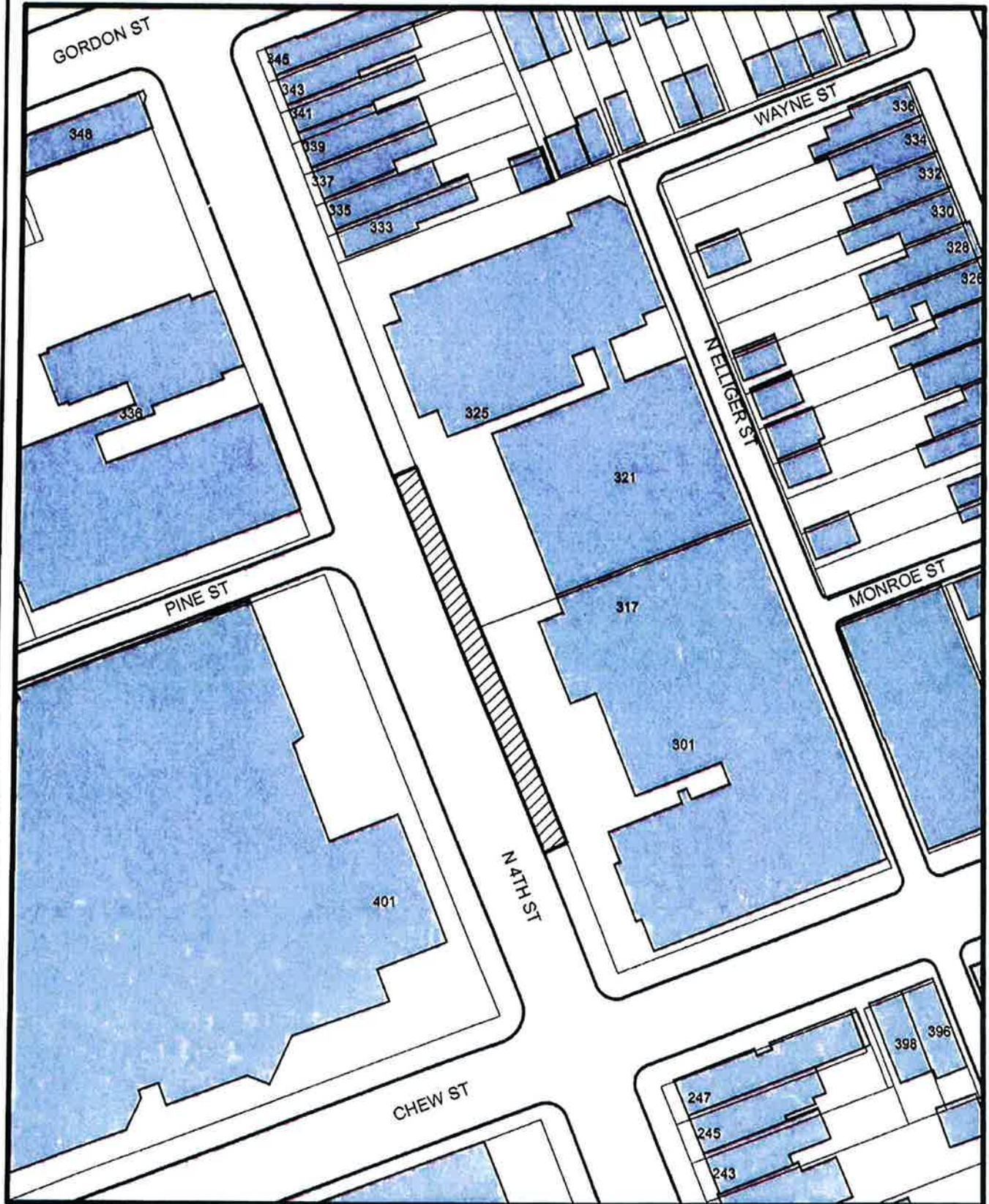
**Proposed Street Vacation:**  
A portion of the right-of-way of N. 4th st.  
between Chew St. & Gordon St.

SCALE:  
1" = 800'





CITY OF ALLENTOWN



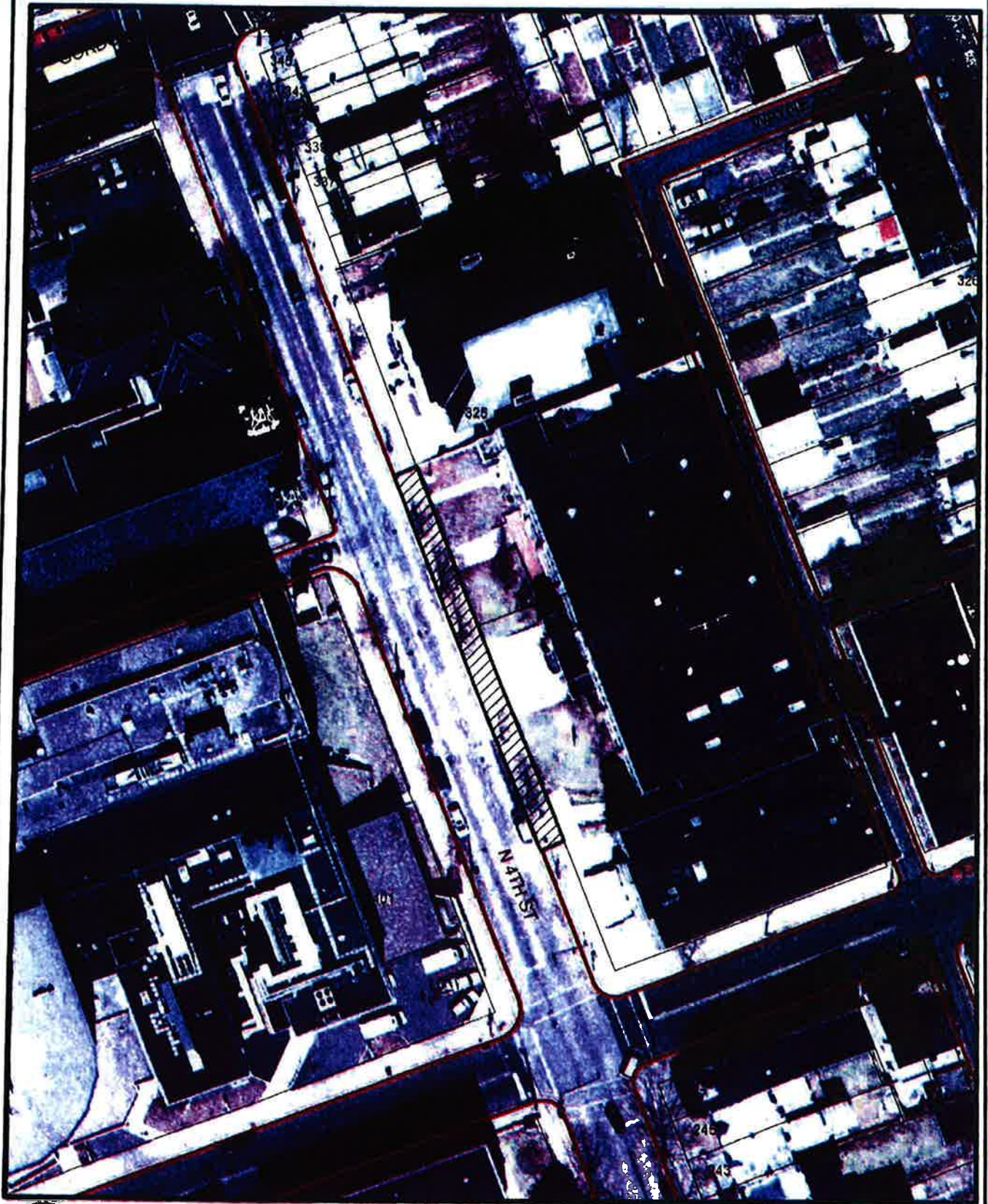
Proposed Street Vacation:  
A portion of the right-of-way of N. 4th st.  
between Chew St. & Gordon St.

SCALE:  
1" = 60'





CITY OF ALLENTOWN

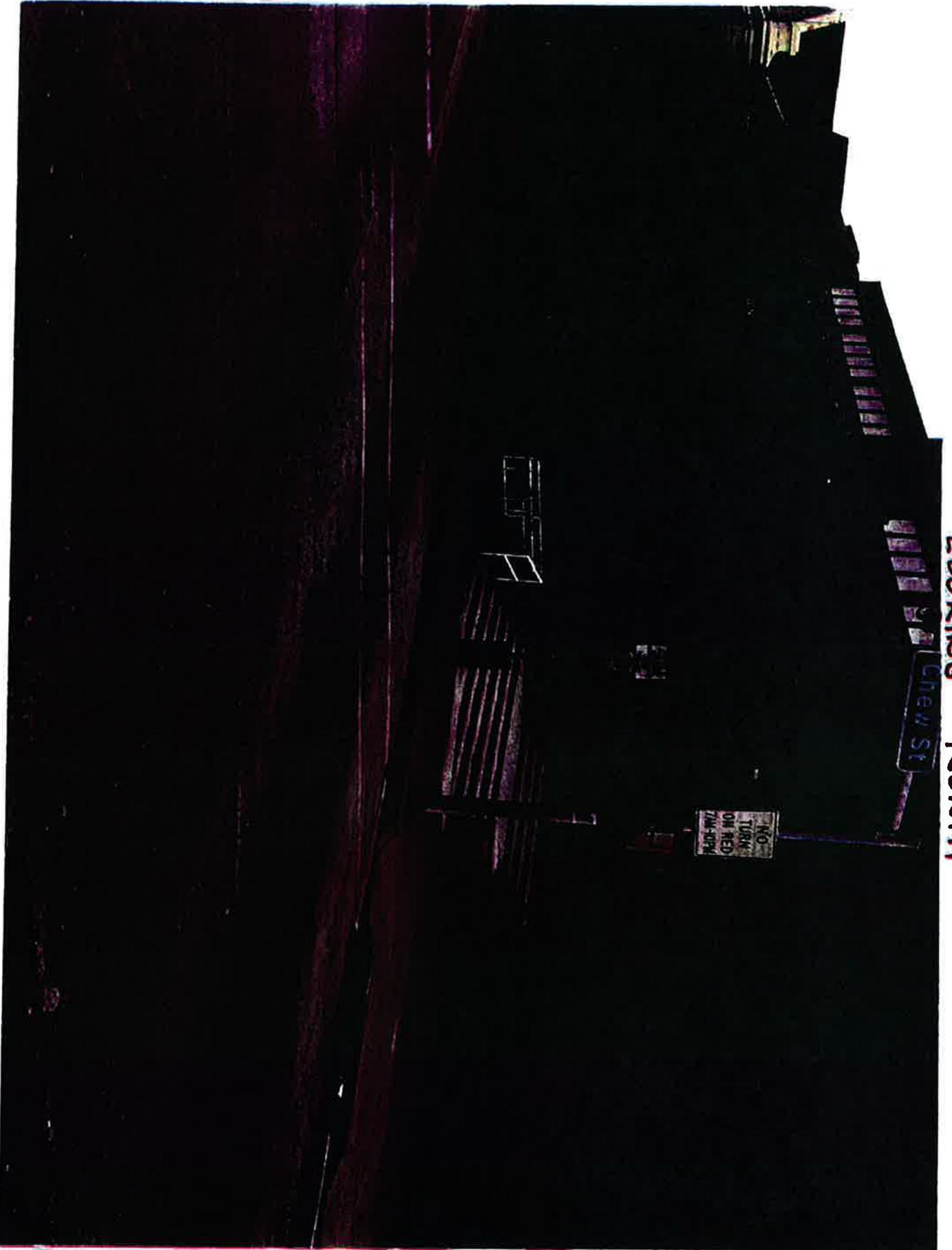


Proposed Street Vacation:  
A portion of the right-of-way of N. 4th st.  
between Chew St. & Gordon St.

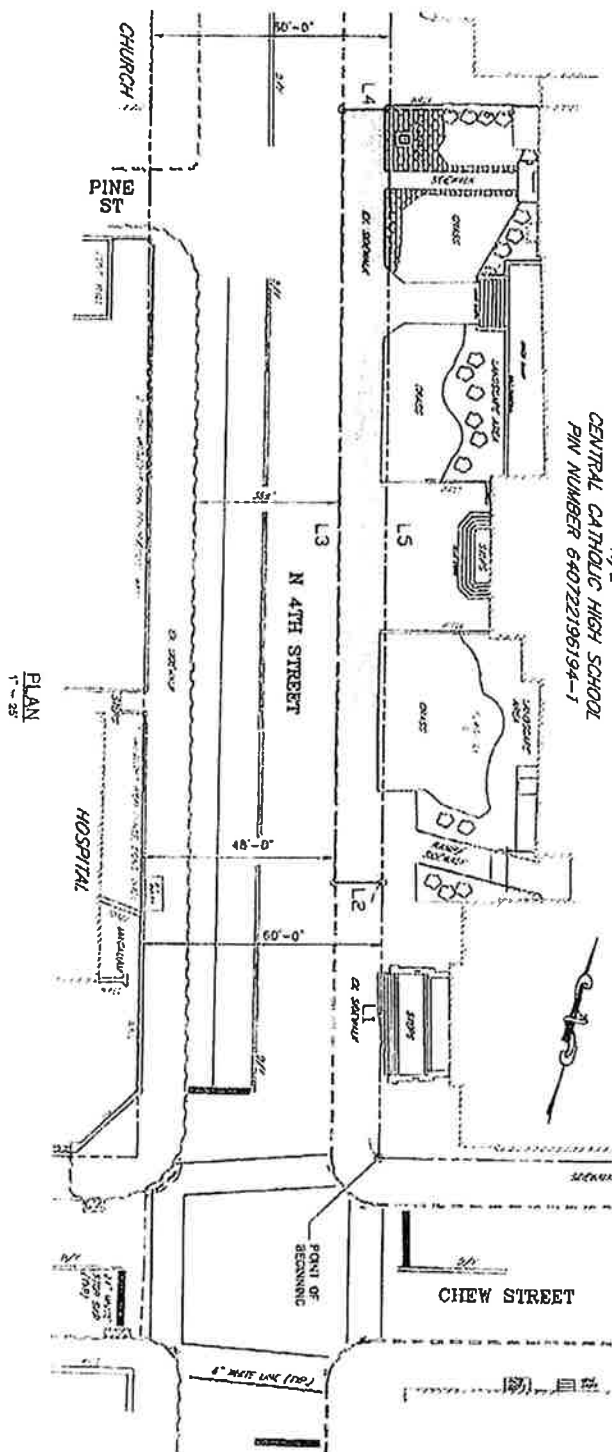
SCALE:  
1" = 60'



Looking North



N/1  
CENTRAL CATHOLIC HIGH SCHOOL  
PIN NUMBER 640722196194-1



**PLAN NOTE:**

THE BEARING INFORMATION PROVIDED ON THIS PLAN IS AS TAKEN FROM THE DEEDS OF RECORD. NO ACTUAL PROPERTY SURVEY WAS PERFORMED AS PART OF THE PREPARATION OF THE PROPOSED ROAD VACATION EXHIBIT.

**LEGEND**

- EXISTING RIGHT-OF-WAY LINE
- PROPOSED RIGHT-OF-WAY LINE
- AREA OF ROADWAY VACATION
- POINT ON LINE

**ROAD VACATION AREA**

2,332 SQ. FT.  
0.053 ACRES

**LINE TABLE**

LINE	BEARING	LENGTH
L1	N14°18'00"W	69.28'
L2	S75°42'00"W	12.00'
L3	N14°18'00"W	194.33'
L4	N75°42'00"E	12.00'
L5	S14°18'00"E	194.33'

**NORTH 4TH STREET VACATION PLAN**  
FOR THE  
**CITY OF ALLENTOWN**

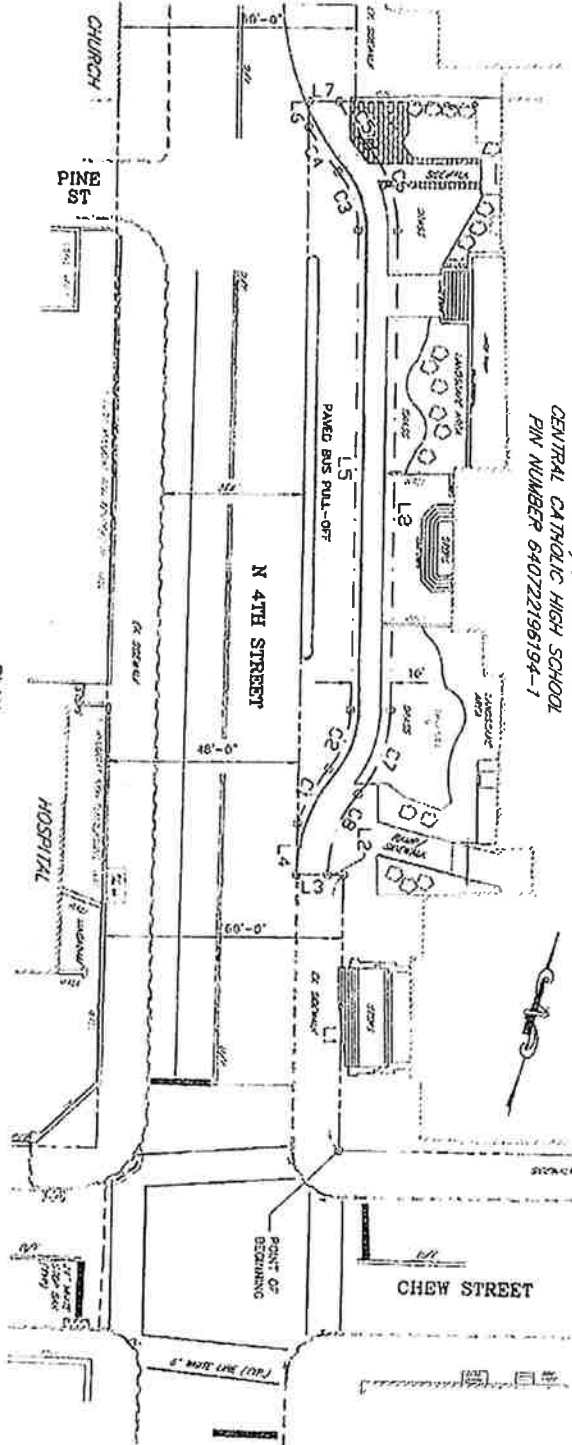
**EXHIBIT "A"**

**METSK, KUNKEL & ASSOCIATES**  
Consulting Engineers, Planners & Surveyors  
2500 MacArthur Blvd. Suite 200  
Allentown, PA 18104  
610-841-2700  
412-824-2910

DWG NO.	003902VA.DWG
DRAWN BY:	JVC
CHECKED BY:	JVC
SCALE:	1" = 25'
DATE:	04/01/11
SHEET NO:	1 OF 1



N/2  
CENTRAL CATHOLIC HIGH SCHOOL  
PIN NUMBER 640722196194-1



LEGEND  
EXISTING RIGHT-OF-WAY LINE  
EASEMENT AREA  
POINT ON LINE

PLAN  
1" = 25'

PLAN NOTE:  
THE BEARING INFORMATION PROVIDED ON THIS  
PLAN IS AS TAKEN FROM THE DEEDS OF RECORD.  
NO ACTUAL PROPERTY SURVEY WAS PERFORMED  
AS PART OF THE PREPARATION OF THE  
PROPOSED EASEMENT EXHIBIT.

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD DIR.	CHORD	TANGENT
C1	16.10'	42.00'	21°57'44"	N14°26'02"E	16.00'	8.15'
C2	15.94'	23.00'	39°42'54"	N05°33'27"E	15.63'	8.31'
C3	15.97'	23.00'	39°47'16"	N34°11'38"W	15.65'	8.32'
C4	13.61'	72.00'	10°49'58"	N48°40'17"W	13.59'	6.83'
C5	13.45'	62.00'	12°25'47"	S47°52'23"E	13.42'	6.75'
C6	22.92'	33.00'	39°47'16"	S34°11'38"E	22.46'	11.94'
C7	22.87'	33.00'	39°42'54"	S05°33'27"W	22.42'	11.92'
C8	22.18'	32.00'	39°42'54"	S05°33'27"W	21.74'	11.56'

LINE TABLE

LINE	BEARING	LENGTH
L1	N14°18'00"W	69.28'
L2	S75°42'00"W	4.00'
L3	S75°42'00"W	8.00'
L4	N14°18'00"W	12.81'
L5	N14°18'00"W	120.49'
L6	N14°18'00"W	6.36'
L7	N75°42'00"E	7.93'
L8	S14°18'00"E	120.49'

**WESLEY, KUNKEL & ASSOCIATES**  
CONSULTING ENGINEERS, PLANNERS & SURVEYORS  
3500 Midway Road  
Suite 300  
Allentown, PA 18104  
610-941-2700  
FAX 610-941-2700  
400 Penn Center Boulevard  
Suite 800  
Pittsburgh, PA 15235  
612-824-7510

10' WIDE PEDESTRAIN EASEMENT  
FOR THE  
CITY OF ALLENTOWN  
EXHIBIT "A"

DWG NO: 0033062EA.DWG  
DRAWN BY: JVC  
CHECKED BY: JVC  
SCALE: 1" = 25'  
DATE: 06/01/11  
SHEET NO: 1 OF 1